

Department of Health
Notice of Rulemaking Hearing
Board of Electrolysis Examiners
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Electrolysis Examiners to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-26-108. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Cumberland Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 2:30 p.m. (CDT) on the 31st day of August, 2005.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, 1st Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 0540-1-.04, Qualifications for Licensure, is amended by deleting part (1) (c) 3. in its entirety and substituting instead the following language, so that as amended, the new part (1) (c) 3. shall read:

- (1) (c) 3. Successful completion of general (college level) education courses which shall not include remedial and developmental courses, for at least the following specified number of semester hours:

Course	# of Semester Hours
(i) Communications: English Composition I	3
(ii) Humanities and/or Fine Arts	3

(iii)	Anatomy and Physiology	8
(iv)	Social and/or Behavioral Sciences	<u>3</u>
	Total	17

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-26-108, 63-26-111, and 63-26-112.

Rule 0540-1-.05, Procedures for Licensure, is amended by adding the following language as new paragraph (19) and renumbering the remaining paragraphs accordingly:

- (19) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-26-108, and 63-26-123.

Rule 0540-1-.06, Fees, is amended by deleting subparagraph (1) (d) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (d) shall read:

- (1) (d) License fee - A non-refundable fee to be paid by all applicants, except those seeking licensure by reciprocity, prior to the issuance of the initial license.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-26-108, and 63-26-109.

Rule 0540-1-.07, Application Review, Approval, and Denial, is amended by deleting paragraph (4) in its entirety and substituting instead the following language, so that as amended, the new paragraph (4) shall read:

- (4) If an application is incomplete when received by the Board's administrative office, or if the Board's administrator determines additional information is required from an applicant before an initial determination can be made, the Board's administrative office shall notify the applicant of the information required.
 - (a) The applicant shall cause the requested information to be received by the Board's administrative office on or before the sixtieth (60th) day after the notification requesting such information is sent to the applicant.
 - (b) If requested information is not timely received, the application file may be considered abandoned and may be closed by the Board's administrator. If that occurs, the applicant shall be notified that the Board will not consider issuance of a license until a new application is received pursuant to the rules governing that process, including another payment of all fees

applicable to the applicant's circumstances and submission of such new supporting documents as is required by the Board or the Board's administrator.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-26-108, 63-26-109, 63-26-111, 63-26-112, and 63-26-119.

Rule 0540-3-.04, Standards for License, is amended by deleting subparagraph (4) (b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (4) (b) shall read:

(4) (b) General (college level) education courses which shall not include remedial and developmental courses, for at least the following specified number of semester hours:

Course	# of Semester Hours
1. Communications: English Composition I	3
2. Humanities and/or Fine Arts	3
3. Anatomy and Physiology	8
4. Social and/or Behavioral Sciences	<u>3</u>
Total	17

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-26-108, and 63-26-119.

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Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for

publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010 615-532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Electrolysis Examiners.

Robbie H. Bell, Director
Health Related Boards

Subscribed and sworn to before me this the 19th day of May, 2005.

Notary Public

My commission expires on the 25th day of March, 2006.

The notice of rulemaking set out herein was properly filed in the Department of State on the ____ day of _____, 2005.

Riley C. Darnell
Secretary of State

By: _____